

From: David Stechmann
To: Microsoft ATR
Date: 1/16/02 6:50pm
Subject: Microsoft Settlement

To whom it may concern,

I would just like to comment on the Microsoft Settlement. I think it is good that the proposed settlement was rejected. It would have done little to punish Microsoft for its illegal activities and would have instead given them an unfair advantage in the education market. Any settlement I believe should have the following objectives:

1. It should in no way increase Microsoft's install base or influence in any way.
2. It should promote more competition in the market. For example, if Microsoft is required to donate resources to schools, it should donate systems not associated with Microsoft in any way (like Mac OS X or Linux).
3. If the settlement requires Microsoft to expend money, it should be of a significant amount to reduce Microsoft's ability to continue their monopoly.
4. It should protect OEMs so they can make operating system and configuration choices without Microsoft's pressure (as would have still been present in the rejected settlement).

Whatever the eventual settlement is, I think it should have one final requirement, that it is considered a bad idea by Microsoft. Based on how Microsoft's legal department has worked in the past, I think it is reasonable to say that any proposal Microsoft endorses will ultimately expand their monopoly. In addition, if they like the settlement, they will have no incentive to stop their anti-competitive behavior. Like any convicted criminal, Microsoft should receive a punishment which will make them think twice about acting like they have (and continue to do).

Thank you for your time.

Sincerely,

David Stechmann